IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.306 OF 2006.
WITH
CRIMINAL APPLICATION NO. 307 OF 2006
IN
CRIMINAL REVISION APPLIATION 3275 OF 2004.

Mrs. Sarita Pravin Kulkarni ..Applicant
V/s
Mr. Pravin Arun Kulkarni
And others ..Respondents.

Ms. Madhubala Shetty for the applicant
Mr. A.A. Garge with Mr. D.P. Chavan for Respondent Nos. 1 to 3.
Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 13TH OCTOBER, 2006.

P.C.

. These are the applications for condonation of delay and setting aside the order passed of disposal of Criminal Revision Application No. 3275 of 2004.

2. For the reasons set out therein the applications are allowed. Criminal Revision Application No. 3275/2004 is restored to the file. That Criminal Revision application is for transfer of the Criminal complaint pending before the J.M.F.C., Court at Kothrud

to the J.M.F.C.Court at CBD, Navi Mumbai.

2. However, during the course of the hearing of the restoration applications, the parties have amicably resolved their dispute. The applicant before me is the wife, whereas the first respondent is husband and the other respondents are the in-laws.

3. The parties have handed in signed minutes of order, which are taken on record and marked "X" for identification.

4. Before me while, tendering these minutes both sides agreed, that they would within a period of 30 days from today file a petition for divorce by mutual consent before the competent Court at Thane. This application/petition would be under Section 13(B) of the Hindu Marriage Act, 1955.

5. The parties withdraw the allegations against each other. They are also agreed for return of the articles which are mentioned in the list annexed to the minutes of the Order. However, the parties have agreed to the right of access to the minor daughter as per

clause 4 of the minutes of order.

6. In addition, the first respondent to pay to the applicant in full and final settlement of her claims and by way of permanent alimony a sum of Rs. 5 lakhs on or before 31st March,2007.

7. In the light of the Minutes of order and in the peculiar facts of this case, I proceed to exercise my powers under Section 482 of Code of Criminal Procedure and following the Judgment of the Hon'ble Supreme Court reported in AIR 2003, S.C. 1386 the proceedings in Criminal Cases of 505/2003 pending before the J.M.F.C. Court, Kothrud, Pune shall stand quashed.

(S.C. DHARMADHIKARI, J.)